

No. 11(112)-80-3Lab/8350.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Avon Automotive Components Private Limited, Plot No. 59, Sector-6, Faridabad.:

BEFORE SHRI I. P. CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA,  
FARIDABAD

Reference No. 203 of 1980

between

SHRI G. MANDAL, WORKMAN AND THE MANAGEMENT OF M/S AVON AUTOMOTIVE  
COMPONENTS PRIVATE LIMITED, PLOT NO. 59, SECTOR 6, FARIDABAD

Present :—

Shri Adrash Kishore Sharma, for the workman.

None for the respondent management.

#### AWARD

This reference No. 203/80 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/29-80/14995, dated 26th March, 1980 under section 10 (1) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri G. Mandal, workman and the management of M/s. Avon Automotive Components Private Limited, Plot No. 59, Sector 6, Faridabad. The term of the reference was :—

Whether the termination of services of Shri G. Mandal was justified and in order? If not, to what relief is he entitled?

After receiving this reference, notices were issued to both the parties. On 29th May, 1980, Shri Adrash Kishore Sharma appeared on behalf of the workman, but no one was present on behalf of the management. The service of summons has duly been effected on the management. The management had sent a letter by post for granting adjournment. This shows that the management is full aware of the date fixed. In these circumstances I proceeded *ex parte* against the management and the case was fixed for *ex parte* evidence of the workman for 17th June, 1980.

On 17th June, 1980 the workman appeared before this Court as WW-1. He stated that he was working with the respondent management as a Grinderman since 1st August, 1973. He was getting Rs. 280 per month as his monthly salary. He further stated that his work was found satisfactory during his service period. The respondent management terminated his services on 8th February, 1980 without assigning any letter or giving chargesheet to him. The workman stated that the management had terminated his services illegally, so he be reinstated with full back wages.

Keeping in view the circumstances of the case, I see no reason why the un-rebutted statement given on oath by the workman should not be relief specially when the management chose not to appear and defend this reference before this Court. So I relying upon the un-rebutted statement of the workman hold that the termination of the services of the workman Shri G. Mandal was un-justified and was not in order. He is entitled to be reinstated with full back wages and with costs viz. fixed at Rs. 100 of this reference.

I answer the reference while returning the same in these terms.

Dated the 20th June, 1980.

I. P. CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

Endorsement No. 1003, dated 23rd June, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of Industrial Disputes Act.

I. P. CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.